

DECISION RECORD
Categorical Exclusion Not Established By Statute
DOI-BLM-UT-G021-2015-0057-CX
Wedge Overlook Film Permit

It is my decision to authorize a filming permit to Camp 4 Collective to film two athletes hiking existing trails at the Wedge Overlook in Emery County, UT pursuant to the authority of the Federal Land Policy and Management Act of 1976, as amended. The permit authorizes one day of filming on August 13, 2015.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action has been determined to be in conformance with the terms and conditions of the RMP as required by 43 CFR 1610.5. This is shown on page 116 of the plan, LAR-5 reads as follows: "Permit commercial filming on a case-by-case basis subject to a NEPA process."

It has been determined that the Proposed Action would not conflict with other decisions throughout the Price Field Office Resource Management Plan.

Rationale for Decision: The proposal meets the criteria for minimum impact filming in WO Instruction Memorandum 96-148 and the guidelines in 43 CFR 2920.2-2 and is therefore, a full force and effect decision. The proposed action would not result in unnecessary or undue environmental degradation. It is my decision to approve the action as proposed, with the following stipulations:

- All vehicles will remain on established roads, trails, and turnouts. Parking of vehicles will only occur on existing disturbed pull outs, not untrammelled landscape.
- Vehicles used for this project will be power-washed prior to entering the project area, to remove any mud and/or seeds.
- Hiking will occur on existing trails only. Cross Country hiking is not permitted in this area.
- The company will have a copy of the BLM film permit at all times when filming in the BLM locations.
- If any of the crew encounters archaeological sites, they shall not disturb those areas, and shall avoid them to the extent possible.
- No collecting of archaeological artifacts by the crew will be allowed.
- If footage is recorded that discloses the presence of archaeological sites or artifacts, to the extent possible, that footage shall not be shown on public television.
- The final filming product will have written and/or verbal acknowledgment of filming location on the National System of Public Lands managed by the Bureau of Land Management, Price Field Office, Utah, if feasible.


Protest/Appeal Language: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-001. If an appeal is taken, your notice of appeal must be filed in the office of the Authorized Officer at 125 South 600 West, Price, Utah 84501, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.


Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.



Authorized Officer



Date

United States Department of the Interior Bureau of Land Management

Categorical Exclusion Not Established By Statute
DOI-BLM-UT-G021-2015-0057-CX

August 2015

Wedge Overlook Film Permit

Location: *Wedge Overlook in Emery County, Utah*

T. 19 S., R. 10 E., Salt Lake Meridian, Emery County, Utah
Section 11.

Applicant/Address: *Camp 4 Collective*
32 W. 300 S. #308
Salt Lake City, UT 84101

Green River District, Price Field Office
125 S. 600 W.
Price, UT 84501
(435) 636-3600
(435) 636-3657



A. Background

BLM Office: Price Field Office

Lease/Serial/Case File No: UTU-91289

Proposed Action Title/Type: Wedge Overlook Film Permit

Location of Proposed Action:

Wedge Overlook in Emery County, Utah

T. 19 S., R. 10 E., Salt Lake Meridian, Emery County, Utah
Section 11.

Description of Proposed Action:

Camp 4 Collective has submitted an application for a film permit at the Wedge Overlook in Emery County, UT in order to film two athletes hiking the area. Filming is proposed for one day on August 13, 2015. The crew would consist of 17 people, with 4 transport vehicles. All filming activities would occur on existing roads and trails and only hand held cameras and a tripod would be used.

B. Land Use Plan Conformance

Land Use Plan Name: Price Field Office Resource Management Plan

Date Approved/Amended: October 31, 2008

The proposed action has been determined to be in conformance with the terms and conditions of the RMP as required by 43 CFR 1610.5. This is shown on page 116 of the plan, LAR-5 reads as follows: "Permit commercial filming on a case-by-case basis subject to a NEPA process."

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E.(19) which states "issuance of short-term (3 years or less) rights-of-way or land use authorizations... where the proposal includes rehabilitation to restore the land to its natural or original condition". This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances (attached) potentially having effects that may significantly affect the environment.

Based on a review of the project described above and field office staff recommendations attached, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis with the following stipulations:

- All vehicles would remain on established roads, trails, and turnouts. Parking of vehicles would only occur on existing disturbed pull outs, not untrammelled landscape.
- Vehicles used for this project would be power-washed prior to entering the project area, to remove any mud and/or seeds.
- Hiking would occur on existing trails only. Cross Country hiking is not permitted in this area.

- The company would provide the BLM Price Field Office with a current schedule for filming on the National System of Public Lands. The BLM contact person is Amanda Harrington (435) 636-3630.
- The company would have a copy of the BLM film permit at all times when filming in the BLM locations.
- If any of the crew encounters archaeological sites, they shall not disturb those areas, and shall avoid them to the extent possible.
- No collecting of archaeological artifacts by the crew would be allowed.
- If footage is recorded that discloses the presence of archaeological sites or artifacts, to the extent possible, that footage shall not be shown on public television.
- The final filming product would have written and/or verbal acknowledgment of filming location on the National System of Public Lands managed by the Bureau of Land Management, Price Field Office, Utah, if feasible.

D: Signature

Authorizing Official: _____



Ahmed Mohsen
Field Manager

Date: _____



Contact Person

For additional information concerning this CX review, contact

Amanda Harrington, Realty Specialist
BLM Price Field Office
125 South 600 West
Price, Utah 84501
Phone: (435) 636-3630
Fax: (435) 636-3657

Attachments:

Extraordinary Circumstances

Categorical Exclusion Review Record

Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	Kelly Buckner	8/3/2015
Areas of Critical Environmental Concern	No	Josh Winkler	8/3/2015
Cultural Resources	No	Amber Koski	8/3/2015
Environmental Justice	No	Kelly Buckner	8/3/2015
Farm Lands (prime or unique)	No	Karl Ivory	8/3/2015
Floodplains	No	Karl Ivory	8/3/2015
Invasive Species/Noxious Weeds	No	Stephanie Bauer	8/3/2015
Migratory Birds	No	Jared Reese	8/3/2015
Native American Religious Concerns	No	Amber Koski	8/3/2015
Threatened, Endangered, or Candidate Species	No	Jared Reese	8/3/2015
Wastes (hazardous or solid)	No	Karl Ivory	8/3/2015
Water Quality (drinking or ground)	No	Karl Ivory	8/3/2015
Wetlands / Riparian Zones	No	Karl Ivory	8/3/2015
Wild and Scenic Rivers	No	Matt Blocker	8/3/2015
Wilderness	No	Matt Blocker	8/3/2015
Other:			

*Extraordinary Circumstances apply.

Environmental Coordinator Kelly Buckner

Date: 08-03-2015

Extraordinary Circumstance to Categorical Exclusions

This form is optional. However, the Extraordinary Circumstances review should be documented using this review form when actions are controversial, complex or likely to be challenged. When used, this form can be attached to the CX documentation form. An Extraordinary Circumstances review is also necessary for use of all Statutory CXs under the Energy Policy Act of 2005 (WO IM 2010-118).

Follow the italicized instructions in the rationale boxes then delete this and all italicized instructions. To delete the text boxes, place the cursor in the text box, click the left mouse button, move the cursor to near the upper center line circle of the box; when the crossing arrows appear click the left mouse button to highlight the box and delete the box by pressing delete or clicking on edit, then cut.

Exceptions to Categorical Exclusion Documentation

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No <div style="text-align: center;">X</div>	Rationale: <i>The proposed project would not utilize methods or equipment that pose risks to public safety or create hazards to public health. Building sets or pyrotechnics would not be used.</i>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No <div style="text-align: center;">X</div>	Rationale: <i>Filming activities would not be authorized that would jeopardize the relevance or importance criteria of these areas.</i>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No <div style="text-align: center;">X</div>	Rationale: <i>The proposal is not expected to have any unresolved conflicts or controversial environmental effects.</i>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No <div style="text-align: center;">X</div>	Rationale: <i>Due to the short duration and minimally impacting nature of this action, the results of the action are predictable and do not have the potential for substantial environmental effects. Based on the ID Team review, new circumstances were not identified</i>

Extraordinary Circumstances

5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

Yes	No X	Rationale: <i>This action would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects because the action would take place one time in a previously disturbed area. Future applications for filming would continue to be analyzed on a case-by-case basis by an ID team.</i>
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6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Yes	No X	Rationale: <i>This action would be minor and would not have a direct relationship to other actions that would result in cumulative significant environmental effects.</i>
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7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Yes	No X	Rationale: <i>BLM determines that this project would have "No Adverse Effect to Historic Properties," under the provisions of the Utah Protocol of the National Programmatic Agreement among the BLM, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers.</i>
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8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

Yes	No X	Rationale: <i>After GIS review, there are no known occurrences of federally listed or candidate species in the project area. There is no designated critical habitat present either. There would be no surface water depletion that would affect federally listed fish species.</i>
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9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Yes	No X	Rationale: <i>The proposed action would not violate any Federal, State, local or tribal laws.</i>
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10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes	No X	Rationale: <i>Minority or low income populations would not be adversely effected by implementation of the Proposed Action.</i>
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11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Extraordinary Circumstances		
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Yes	No X	Rationale: <i>The action would not limit access to and ceremonial use of sacred sites by Native American religious and traditional practitioners or significantly affect the physical integrity of such sites.</i>
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12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Yes	No X	Rationale: <i>The proposed action would not contribute to the spread of noxious weeds or non-native invasive species.</i>
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